



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Mary FARIS et al.

Examiner: A. Harris

Group Art Unit: 1643

Serial No.: 09/809,638

Filing Date: 14 March 2001

For: 125P5C8: A TISSUE SPECIFIC PROTEIN HIGHLY EXPRESSED IN VARIOUS
CANCERS

PETITION UNDER 37 CFR §1.183 AND DECLARATION OF SHANE M. POPP

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Shane M. Popp, declare as follows:

1. I am the Manager, Legal for Agensys, Inc., the assignee of the above-referenced patent application. In my duties, I am responsible for the prosecution of said application.
2. Pursuant to 37 C.F.R. 1.183, assignee and real-party-in-interest, Agensys, Inc. and co-inventors Aya Jakobovits, Daniel E.H. Afar, Pia M. Challita-Eid, and Arthur B. Raitano respectfully state that co-inventor Steve Chappell Mitchell is unavailable to join the application for patent, and requests that this application be accepted for examination and that the attached declaration be accepted without the signature of co-inventor Steven Chappell Mitchell.
3. To date, after diligent effort, the signature of the co-inventor Steven Chappell Mitchell has yet to be obtained.

4. Steven Chappell Mitchell's last known address is:

601 Linden Place
Loft #311
Evanston, IL 60201

5. On 27 January 2006, I personally mailed, via DHL / Worldwide Express, to Steven Chappell Mitchell, at his last known address, a package containing a letter that requested his signature on a Declaration under 37 C.F.R. 1.131. The package also contained three exhibits which confirmed the need to file a 1.131 Declaration and a return DHL envelope for his convenience in returning the executed Declaration. See Exhibit A.

5. Attached hereto as Exhibit B is a copy of the delivery confirmation sent by DHL / Worldwide Express indicating that the package was delivered 30 January 2006 at 10:32 a.m.

6. On 03 March 2006, I personally mailed, via DHL / Worldwide Express, to Steven Chappell Mitchell, at his last known address, a second package containing a letter that requested his signature on a Declaration under 37 C.F.R. 1.131. The package also contained three exhibits which confirmed the need to file a 1.131 Declaration and a return DHL envelope for his convenience in returning the executed Declaration. See Exhibit C.

7. Attached hereto as Exhibit D is a copy of the delivery confirmation sent by DHL / Worldwide Express indicating that the package was delivered 06 March 2006 at 11:35 a.m.

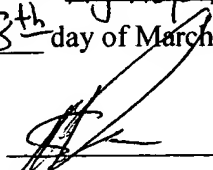
8. To date, we currently have not received an executed copy of the 1.131 Declaration.

9. I believe a diligent *bona fide* attempt has been made to obtain the signature of Steven Chappell Mitchell. In addition, I believe the inaction on behalf of Steven Chappell Mitchell clearly shows that Steven Chappell Mitchell cannot be reached and is unavailable.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Executed at Agensys, Inc. located at 1545 17th Street, Santa Monica, California 90404 on this 8th day of March 2006.

By:


Shane M. Popp J.D., LL.M.
Manager, Legal
Agensys, Inc.

03 March 2006

Sent via Worldwide Express / DHL

Mr. Steven Chappell Mitchell
601 Linden Place
#311 loft
Evanston, IL 60201

RE: U.S. Patent Application:
Title: 125P5C8: A TISSUE SPECIFIC PROTEIN HIGHLY EXPRESSED IN
VARIOUS CANCERS
Serial No.: 09/809,638
Our Ref.: 51158-20035.00

Dear Steve:

Further to our previous letter dated 27-January-2006, please find enclosed a Declaration under 37 C.F.R. §1.131 for the above-referenced patent application for which you are listed as an inventor. The need for a §1.131 Declaration came about when; during prosecution of the above-referenced case, the Patent Examiner cited WO/200270539 as allegedly anticipating our claims.

37 C.F.R. 1.131(a) states in pertinent part:

“When any claim of an application is rejected, the inventor of the subject matter of the rejected claim may submit an appropriate oath or declaration to establish invention of the subject matter of the rejected claim prior to the effective date of the reference or activity on which the rejection is based.”

Accordingly, please find enclosed a copy of the 1.31 Declaration for your execution on the above-referenced matter, a copy of a document demonstrating reduction to practice prior to the WO/200270539 document which has an effective date of 05 March 2001.

Please review the enclosed documents and sign and date the enclosed §1.131 Declaration and return it to us as soon as possible. I have enclosed a return DHL envelope for your convenience.

If you have any questions feel free to contact me at 310.820.8029 ext. 205.

With regards,


Shane M. Popp J.D., LL.M.
Manager, Legal

Enclosures

BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Mary FARIS, et al.

Application No.: 09/809,638

Filed: March 14, 2001

For: 125P5C8: A TISSUE SPECIFIC PROTEIN
HIGHLY EXPRESSED IN VARIOUS
CANCERS

Art Unit: 1643

Examiner: A. Harris

DECLARATION BY INVENTORS
UNDER 37 C.F.R. § 1.131

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We, the undersigned, declare as follows:

1. We are co-inventors of claims 1, 14 and 23, currently pending in the above-referenced application. The claims relate to an isolated 125P5C8 protein comprising the sequence of SEQ ID NO: 2 or a polynucleotide sequence encoding the codons for SEQ ID NO: 2, which is exemplified by the nucleotide sequence of SEQ ID NO:1.

2. The Office rejected claims 1, 14 and 23 as allegedly being anticipated by WO 200270539 A2, which was filed March 5, 2002. This PCT application claims priority to U.S. Application No. 09/799,451, which was filed March 5, 2001, and is now U.S. Patent No. 6,783,989.

A copy of WO 200270539 was submitted in an Information Disclosure Statement provided in this application mailed on April 5, 2001. This document discloses sequence 1397 which is identical to SEQ ID NO: 2 of the present application.

3. We reduced the claimed invention to practice in the United States prior to the date U.S. Patent No. 6,783,989 was filed (March 5, 2001).

4. This reduction to practice is evidenced by a true and accurate copy of an email message sent to various members of the scientific staff by inventor Steve C. Mitchell on January 3, 2001. The email provides the nucleic acid and amino acid sequences of the material encompassed by the claims in the above-referenced patent application. A copy of this email is provided as Exhibit A.

5. The nucleotide sequence disclosed in Exhibit A consists of 2,103 nucleotides and 699 amino acids.

6. Exhibit B shows a comparison of the nucleotide sequence of SEQ ID NO:1 and the nucleotide sequence disclosed in Exhibit A. Every single nucleotide disclosed in SEQ ID NO:1 is present in the nucleotide sequence disclosed in Exhibit A. Accordingly, the email of Exhibit A clearly demonstrates the that nucleotide sequence of SEQ ID NO:1 was in our possession prior to the earliest priority date to which WO 200270539 (the cited art) is entitled to claim.

7. Exhibit C shows a comparison of the amino acid sequence of SEQ ID NO:2 and the amino acid sequence disclosed in Exhibit A. Every single amino acid residue disclosed in SEQ ID NO: 2 is present in the amino acid sequence disclosed in Exhibit A. Accordingly, the email of Exhibit A clearly demonstrates the that amino acid sequence of SEQ ID NO:2 was in our possession prior to the earliest priority date to which WO 200270539 (the cited art) is entitled to claim.

8. In view of the email provided as Exhibit A and the analysis of the sequences disclosed therein and shown in Exhibits B and C, we declare that the invention of the pending claims was reduced to practice in the United States prior to March 5, 2001, the earliest priority date available to the cited document.

We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

Executed at

(City/State)

Aya JAKOBOVITS

(City/State)

Daniel E.H. AFAR

(City/State)

Steve Chappell MITCHELL

(City/State)

Pia M. CHALLITA-EID

(City/State)

Arthur B. RAITANO

(City/State)

Mary FARIS

COPY

Conte



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Track results detail

Tracking results detail for 29686554752

Tracking summary

Current Status	✓ Shipment delivered.	View Signature
Delivered on	1/30/2006 10:32 am	
Delivered to	Residence Door	
Signed for by	LD FD -601 LINDEN PL	What is this?

Tracking history

Date and Time	Status	Location
1/30/2006 10:32 am	Shipment delivered.	Franklin Park, IL
1/28/2006 7:59 am	Arrived at DHL facility.	Franklin Park, IL
1/27/2006 5:15 pm	Departing origin.	Santa Monica, CA
4:09 pm	Picked Up by DHL.	Shipper's Door
Ship From: AGENSYS Santa Monica, CA 90404 United States	Ship To: STEVE CHAPPELL MITCHELL Evanston, IL 60202 United States	Shipment Information: Ship date: 1/27/2006 Pieces: 1 Total weight: 1 lb Ship Type: Letter Expre Shipment Reference: 61 INTELLECT PROP. Service: Next Day Special Service: Description:
Attention: AGENSYS	Attention: STEVE CHAPPELL MITCHELL	

Tracking detail provided by DHL: 2/14/2006, 8:09:03 am pt.

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Questions?

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Popp, Shane

From: Mitchell, Steve
Sent: Wednesday, January 03, 2001 1:43 PM
To: Scientists
Subject: 125P5C8 reagents.

Colleagues,

The Company reagent for 125P5C8 (124P1B7/139P3A1) is pasted. It is a PCR based pCR2.1/TA clone(prostate) with three point differences from the Japanese (colon) reported hypothetical sequence.
Two point are conserved for translation whereas the third point difference gives an amino acid change near the 3 prime end. This is verified with genomic sequencing.

>125P5C8(124P1B7/139P3A1) pCR2.1 subclone

```
CGATGACCTCGCTGTGGAGAGAAATCCTCTTGGAGTGGCTGGGATGTGTTTCTTGGTCTCTCTACCATGACCTGGGACCGATG
ATCTATTACTTTCTTTGCAAACTAGAACTCACTGGGCTTGAAGTTTATAGTATAGCATTCTTTCTOCAAATATTCCTAACAATTACT
CCTTTCTGGAAATTTGGTTAACAAGAAGTGGATGCTAACCTGCTGAGGATAATCACTATTGGCAGCATAGCCTCCTCCAGGCTCCA
AATGCCAAACTTCGACTGATGTTCTTGGCGCTTGGGGTGTCTTCTCACTGATAGTGAAGCTGTGACTTGGTGGTGGGAAAGTCAT
TTGCAAAGGTACCTCAGAATTTGGGGATTCAATTTAGGACAGATTGTTCTTGTGTTCTACGCATATGGTATACTTCACTAAACCCAAT
CTGGAGTTATCAGATGTCCAACAAAGTGATAGTACATTAAGTGCCATAGCCACACTTGATCGTATTGGCAGATGGTGAAGTGCAG
TAAACCTGAAGAAAAGAACTGGTGAGGTAGCCACGGGGATGGCCTCTAGACCCAACTGGCTGCTGGCAGGGGCTGCTTTTGGT
AGCCTTGTGTTCTCACTGGGTTTTTGGAGAAGTCTCTTGTGTTCCAGATGGGCAAGTGAAGTGGCATCCACATCCAGGGCC
AGATCCTAACCCTTTGGAGGTGCACTGCTGTGCTTGGCAAGTGGATTGATGCTTCCATCTTGTGTTGTTGTTGGTGGTACTGG
TTTGATCTGGTGGGTACAGGAACAGCTTCAGCTGCGGGGCTTACCTGCACACATGGGCAAGTGTGTTGTTGTTGGTGGTACTGG
TCGCCATCTTACTGCATCCATGTGGCCCCAAACACTTGGACACCTTATTAAGTGGTCCAGGACAAACCTGGGAAAACCATGACCATG
CCATGATATTTATCTTCTAGAAATATTTTCTGTGCTGGTGCACAGCTTTAAGTTTGTCCAGGAGGTGTCTACGCTGGGAAAG
ATCAGATGTGCTTTTGGGGACAATGATGTTAATTATCGGGCTGAATATGCTATTTGGTCCCTAAGAAAAACCTTGACTTGTCTTCAA
ACAAAAACAGTTCTAAAGTGCTTTTCAAGAGAGTGAATAATACATGAACTTTTCTGTGGCTGCTTGTGTTGGTGGGATTGTTGG
GATTAGGACTACGGCATAAAGCCTATGAGAGAAAAGTGGCAAAAGTGGCACCACCAACCAAGAGGTCTCTGCTGCCATCTGGCCTTC
AGGTTTGGATATGACAAATGAAGGGTGGTCTAGTCTAGAAAGATCAGCTCACCTGCTCAATGAAACAGGTGCAGATTTCATAACAATT
TTGGAGAGTGATGCTTCTAAGCCTATATGGGGAACAATGACTTAACCATGTGGCTAGGGGAAAAGTTGGGTTTCTATACAGACTTT
GGTCCAAGCACAAGGTATCACACTTGGGGGATTATGGCTTTGTCAAGATACCAATTTGTAATCTGAGCATCACCTTCTCCGTCA
CCAGAGGGGCGAGATCGCACCAGCCATCACATTGACCGTTAACAATTCGGGCAAGCTGGTGGATTGTTGCTGACACACTTTGGGAA
CCACGAAGATGACCTCGACAGGAACTGCAGGCTATTGCTGTTTCAAACTACTGAAAAGTAGCTCTAATCAAGTGATATTTCTGGG
ATATATCACTTCAGCACTGGCTCCAGAGATTATCTACAGCTCACTGAACATGGCAATGTGAAGGATATCGACAGCACTGATCATGA
CAGATGGTGTGAATACATTATGTATCGAGGGCTGATCAGGTTGGGTTATGCAAGAATCTCCATGCTGAACTGAGTGATTGAGAAAT
TCAGATGGCAAAATTTAGGATCCCTGATGACCCCACTAATTATAGAGACAACCAAGAGTGGTCATAGACCACAGAGAAGTTTCTGA
GAAAATTCATTTAATCCAGATTGGATCCTACAAAGAAGGACACAATTATGAAAACAACCATCATTTTCATATGAATAGTCCCAAAT
ACTTTTATGAAAC
```

>125P5C8(124P1B7/139P3A1) pCR2.1 subclone

```
MTSLWREILLESLLGCVSWSLYHDLGPMIYFPLQTLTLELTGLEGFSIAFLSPFLTTPFWKLVNKKWMLTLRITIGSIASFOAPNAKLRLM
VLALGVSSSLVQAVTWWSGSHLQRYLRWGFILGQNLVLRWYTSNPIWWSYQMSNKVILTSAIATLDRIGTDGDCSKPEEKKTGEVA
TGMASRPNWLLAGAAFGSLVFLTHWVFEVSLVSRWAVSGHIPHPGDPNPFGGAVLLCLASGLMLPSCLWFRGTGLWVVTGTASAA
GLLYLHTWAAVSGCVFAIFTASMWPTLGLHINSNTNPGKTMIMIFYLLEIFFCAWCTAFKFPVGGVYARERSDYLLGTMMLIIGLNL
FGPKKNLDLLQTKNSSKVLFRKSEKYMQLFLWLLVGVGLGLGLRHKAYERKLGKVAPTKEVSAIWPFRFGYDNEGWSLERSAHL
NETGADFITLESDAKPYMGNNDLTMWLGEKLGFTDFGPSTRYHTWGIMALSRYPIVKSEHLLPSPEGEIAPATLTVNISGKLVDFVY
THFGNHEDDLDRKLQAIAYSKLLKSSSNQVIFLGYJTSAPGSRDYLLQTEHGNVMDIDSTDHWRWCEYIMYRGURLGYARISHAELSDSEI
QMAKFRIPDDPTNYRDNQKVVIDHREVSEKIHFNFRFGSYKEGHYENNIHIFHMNTPKYFL
```

Steve Chappell Mitchell
Associate Scientist
UroGenesys
1701 Colorado Avenue
Santa Monica, CA 90404
Tel (310)820-8029 x281
Fax (310)820-8489
Email smitchell@urogenesys.com
Url www.urogenesys.com

Exhibit B
A Comparison of SEQ ID NO.:1 and the Nucleotide Sequence of the Email

	atgacctcgc	tgtggagaga	aatcctcttg	gagtcgctgc	tgggatgtgt	ttcttggtct	SID#1
cg	atgacctcgc	tgtggagaga	aatcctcttg	gagtcgctgc	tgggatgtgt	ttcttggtct	Email

	ctctaccatg	acctgggacc	gatgatctat	tactttcctt	tgcaaact	agaactcact	SID#1
	ctctaccatg	acctgggacc	gatgatctat	tactttcctt	tgcaaact	agaactcact	Email

	gggcttgaag	gttttagtat	agcatttctt	tctccaatat	tcctaacaat	tactcctttc	SID#1
	gggcttgaag	gttttagtat	agcatttctt	tctccaatat	tcctaacaat	tactcctttc	Email

	tggaaattgg	ttaacaagaa	gtggatgcta	accctgctga	ggataatcac	tattggcagc	SID#1
	tggaaattgg	ttaacaagaa	gtggatgcta	accctgctga	ggataatcac	tattggcagc	Email

	atagcctcct	tccaggctcc	aaatgccaaa	cttcgactga	tggttcttgc	gcttgggggtg	SID#1
	atagcctcct	tccaggctcc	aaatgccaaa	cttcgactga	tggttcttgc	gcttgggggtg	Email

	tcttcctcac	tgatagtgca	agctgtgact	tgggtggtcgg	gaagtcattt	gcaaaggtac	SID#1
	tcttcctcac	tgatagtgca	agctgtgact	tgggtggtcgg	gaagtcattt	gcaaaggtac	Email

	ctcagaattt	ggggattcat	tttaggacag	attgttcttg	ttgttctacg	catatggtat	SID#1
	ctcagaattt	ggggattcat	tttaggacag	attgttcttg	ttgttctacg	catatggtat	Email

	acttcactaa	acccaatctg	gagttatcag	atgtccaaca	aagtgatact	gacattaagt	SID#1
	acttcactaa	acccaatctg	gagttatcag	atgtccaaca	aagtgatact	gacattaagt	Email

	gccatagcca	cacttgatcg	tattggcaca	gatggtgact	gcagtaaacc	tgaagaaaag	SID#1
	gccatagcca	cacttgatcg	tattggcaca	gatggtgact	gcagtaaacc	tgaagaaaag	Email

	aagactgggtg	aggtagccac	ggggatggcc	tctagaccga	actggctgct	ggcaggggct	SID#1
	aagactgggtg	aggtagccac	ggggatggcc	tctagaccga	actggctgct	ggcaggggct	Email

	gcttttggtg	gccttggtgt	cctcaccac	tgggtttttg	gagaagtctc	tcttgtttcc	SID#1
	gcttttggtg	gccttggtgt	cctcaccac	tgggtttttg	gagaagtctc	tcttgtttcc	Email

Exhibit B

A Comparison of SEQ ID NO.:1 and the Nucleotide Sequence of the Email

agatgggcag	tgagtgggca	tccacatcca	gggccagatc	ctaaccatt	tggaggtgca	SID#1
agatgggcag	tgagtgggca	tccacatcca	gggccagatc	ctaaccatt	tggaggtgca	Email

gtactgctgt	gcttggcaag	tggattgatg	cttccatctt	gtttgtggtt	tcgtggtact	SID#1
gtactgctgt	gcttggcaag	tggattgatg	cttccatctt	gtttgtggtt	tcgtggtact	Email

ggtttgatct	ggtgggttac	aggaacagct	tcagctgcgg	ggctccttta	cctgcacaca	SID#1
ggtttgatct	ggtgggttac	aggaacagct	tcagctgcgg	ggctccttta	cctgcacaca	Email

tgggcagctg	ctgtgtctgg	ctgtgtcttc	gccatcttta	ctgcatccat	gtggccccaa	SID#1
tgggcagctg	ctgtgtctgg	ctgtgtcttc	gccatcttta	ctgcatccat	gtggccccaa	Email

acacttgac	accttattaa	ctcagggaca	aaccctggga	aaaccatgac	cattgccatg	SID#1
acacttgac	accttattaa	ctcagggaca	aaccctggga	aaaccatgac	cattgccatg	Email

atattttatc	ttctagaaat	atttttctgt	gcctggtgca	cagcttttaa	gtttgtccca	SID#1
atattttatc	ttctagaaat	atttttctgt	gcctggtgca	cagcttttaa	gtttgtccca	Email

ggaggtgtct	acgctagaga	aagatcagat	gtgcttttgg	ggacaatgat	gttaattatc	SID#1
ggaggtgtct	acgctagaga	aagatcagat	gtgcttttgg	ggacaatgat	gttaattatc	Email

gggctgaata	tgctatttgg	tcctaagaaa	aaccttgact	tgcttcttca	aacaaaaaac	SID#1
gggctgaata	tgctatttgg	tcctaagaaa	aaccttgact	tgcttcttca	aacaaaaaac	Email

agttctaaag	tgcttttcag	aaagagtga	aaatacatga	aactttttct	gtggctgctt	SID#1
agttctaaag	tgcttttcag	aaagagtga	aaatacatga	aactttttct	gtggctgctt	Email

gttggtgtgg	gattgttggg	attaggacta	cggcataaag	cctatgagag	aaaactgggc	SID#1
gttggtgtgg	gattgttggg	attaggacta	cggcataaag	cctatgagag	aaaactgggc	

Exhibit B**A Comparison of SEQ ID NO.:1 and the Nucleotide Sequence of the Email**

aaagtggcac	caaccaaaga	ggtctctgct	gccatctggc	ctttcaggtt	tggatatgac	SID#1
aaagtggcac	caaccaaaga	ggtctctgct	gccatctggc	ctttcaggtt	tggatatgac	Email
aatgaagggg	ggtctagtct	agaaagatca	gctcacctgc	tcaatgaaac	aggtgcagat	SID#1
aatgaagggg	ggtctagtct	agaaagatca	gctcacctgc	tcaatgaaac	aggtgcagat	Email
ttcataacaa	ttttggagag	tgatgcttct	aagccctata	tggggaacaa	tgacttaacc	SID#1
ttcataacaa	ttttggagag	tgatgcttct	aagccctata	tggggaacaa	tgacttaacc	Email
atgtggctag	gggaaaagtt	gggtttctat	acagactttg	gtccaagcac	aaggtatcac	SID#1
atgtggctag	gggaaaagtt	gggtttctat	acagactttg	gtccaagcac	aaggtatcac	Email
acttggggga	ttatggcttt	gtcaagatac	ccaattgtga	aatctgagca	tcaccttctt	SID#1
acttggggga	ttatggcttt	gtcaagatac	ccaattgtga	aatctgagca	tcaccttctt	Email
ccgtcaccag	agggcgagat	cgcaccagcc	atcacattga	ccgttaacat	ttcgggcaag	SID#1
ccgtcaccag	agggcgagat	cgcaccagcc	atcacattga	ccgttaacat	ttcgggcaag	Email
ctgggtggatt	ttgtcgtgac	acactttggg	aaccacgaag	atgacctcga	caggaaactg	SID#1
ctgggtggatt	ttgtcgtgac	acactttggg	aaccacgaag	atgacctcga	caggaaactg	Email
caggctattg	ctgtttcaaa	actactgaaa	agtagctcta	atcaagtgat	atttctggga	SID#1
caggctattg	ctgtttcaaa	actactgaaa	agtagctcta	atcaagtgat	atttctggga	Email
tatatcactt	cagcacctgg	ctccagagat	tatctacagc	tcactgaaca	tggcaatgtg	SID#1
tatatcactt	cagcacctgg	ctccagagat	tatctacagc	tcactgaaca	tggcaatgtg	Email
aaggatatcg	acagcactga	tcatgacaga	tggtgtgaat	acattatgta	tcgagggctg	SID#1
aaggatatcg	acagcactga	tcatgacaga	tggtgtgaat	acattatgta	tcgagggctg	Email
atcaggttgg	gttatgcaag	aatctcccat	gctgaactga	gtgattcaga	aattcagatg	SID#1
atcaggttgg	gttatgcaag	aatctcccat	gctgaactga	gtgattcaga	aattcagatg	

Exhibit B**A Comparison of SEQ ID NO.:1 and the Nucleotide Sequence of the Email**

gcaaaattta	ggatccctga	tgacccact	aattatagag	acaaccagaa	agtgggcata	SID#1
gcaaaattta	ggatccctga	tgacccact	aattatagag	acaaccagaa	agtgggcata	Email

gaccacagag	aagtttctga	gaaaattcat	tttaatccca	gatttggatc	ctacaaagaa	SID#1
gaccacagag	aagtttctga	gaaaattcat	tttaatccca	gatttggatc	ctacaaagaa	Email

ggacacaatt	atgaaaacaa	ccatcatttt	catatgaata	ctcccaaata	ctttttatga	SID#1
ggacacaatt	atgaaaacaa	ccatcatttt	catatgaata	ctcccaaata	ctttttatga	Email

aac	SID#1
aac	Email

Exhibit C**A Comparison of SEQ ID NO.:2 and the Nucleotide Sequence of the Email**

Met Thr Ser Leu Trp Arg Glu Ile Leu Leu Glu Ser Leu Leu Gly (SID #2)
 | | | | | | | | | | | | | |
 Met Thr Ser Leu Trp Arg Glu Ile Leu Leu Glu Ser Leu Leu Gly (Email)

Cys Val Ser Trp Ser Leu Tyr His Asp Leu Gly Pro Met Ile Tyr Tyr (SID #2)
 | | | | | | | | | | | | | |
 Cys Val Ser Trp Ser Leu Tyr His Asp Leu Gly Pro Met Ile Tyr Tyr (Email)

Phe Pro Leu Gln Thr Leu Glu Leu Thr Gly Leu Glu Gly Phe Ser Ile (SID #2)
 | | | | | | | | | | | | | |
 Phe Pro Leu Gln Thr Leu Glu Leu Thr Gly Leu Glu Gly Phe Ser Ile (Email)

Ala Phe Leu Ser Pro Ile Phe Leu Thr Ile Thr Pro Phe Trp Lys Leu (SID #2)
 | | | | | | | | | | | | | |
 Ala Phe Leu Ser Pro Ile Phe Leu Thr Ile Trp Pro Phe Trp Lys Leu (Email)

Val Asn Lys Lys Trp Met Leu Thr Leu Leu Arg Ile Ile Thr Ile Gly (SID #2)
 | | | | | | | | | | | | | |
 Val Asn Lys Lys Trp Met Leu Thr Leu Leu Arg Ile Ile Thr Ile Gly (Email)

Ser Ile Ala Ser Phe Gln Ala Pro Asn Ala Lys Leu Arg Leu Met Val (SID #2)
 | | | | | | | | | | | | | |
 Ser Ile Ala Ser Phe Gln Ala Pro Asn Ala Lys Leu Arg Leu Met Val (Email)

Leu Ala Leu Gly Val Ser Ser Ser Leu Ile Val Gln Ala Val Thr Trp (SID #2)
 | | | | | | | | | | | | | |
 Leu Ala Leu Gly Val Ser Ser Ser Leu Ile Val Gln Ala Val Thr Trp (Email)

Trp Ser Gly Ser His Leu Gln Arg Tyr Leu Arg Ile Trp Gly Phe Ile (SID #2)
 | | | | | | | | | | | | | |
 Trp Ser Gly Ser His Leu Gln Arg Tyr Leu Arg Ile Trp Gly Phe Ile (Email)

Leu Gly Gln Ile Val Leu Val Val Leu Arg Ile Trp Tyr Thr Ser Leu (SID #2)
 | | | | | | | | | | | | | |
 Leu Gly Gln Ile Val Leu Val Val Leu Arg Ile Trp Tyr Thr Ser Leu (Email)

Asn Pro Ile Trp Ser Tyr Gln Met Ser Asn Lys Val Ile Leu Thr Leu (SID #2)
 | | | | | | | | | | | | | |
 Asn Pro Ile Trp Ser Tyr Gln Met Ser Asn Lys Val Ile Leu Thr Leu (Email)

Ser Ala Ile Ala Thr Leu Asp Arg Ile Gly Thr Asp Gly Asp Cys Ser (SID #2)
 | | | | | | | | | | | | | |
 Ser Ala Ile Ala Thr Leu Asp Arg Ile Gly Thr Asp Gly Asp Cys Ser (Email)

Exhibit C

A Comparison of SEQ ID NO.:2 and the Nucleotide Sequence of the Email

Lys Pro Glu Glu Lys Lys Thr Gly Glu Val Ala Thr Gly Met Ala Ser (SID #2)
 | | | | | | | | | | | | | | | |
 Lys Pro Glu Glu Lys Lys Thr Gly Glu Val Ala Thr Gly Met Ala Ser (Email)

Arg Pro Asn Trp Leu Leu Ala Gly Ala Ala Phe Gly Ser Leu Val Phe (SID #2)
 | | | | | | | | | | | | | | | |
 Arg Pro Asn Trp Leu Leu Ala Gly Ala Ala Phe Gly Ser Leu Val Phe (Email)

Leu Thr His Trp Val Phe Gly Glu Val Ser Leu Val Ser Arg Trp Ala (SID #2)
 | | | | | | | | | | | | | | | |
 Leu Thr His Trp Val Phe Gly Glu Val Ser Leu Val Ser Arg Trp Ala (Email)

Val Ser Gly His Pro His Pro Gly Pro Asp Pro Asn Pro Phe Gly Gly (SID #2)
 | | | | | | | | | | | | | | | |
 Val Ser Gly His Pro His Pro Gly Pro Asp Pro Asn Pro Phe Gly Gly (Email)

Ala Val Leu Leu Cys Leu Ala Ser Gly Leu Met Leu Pro Ser Cys Leu (SID #2)
 | | | | | | | | | | | | | | | |
 Ala Val Leu Leu Cys Leu Ala Ser Gly Leu Met Leu Pro Ser Cys Leu (Email)

Trp Phe Arg Gly Thr Gly Leu Ile Trp Trp Val Thr Gly Thr Ala Ser (SID #2)
 | | | | | | | | | | | | | | | |
 Trp Phe Arg Gly Thr Gly Leu Ile Trp Trp Val Thr Gly Thr Ala Ser (Email)

Ala Ala Gly Leu Leu Tyr Leu His Thr Trp Ala Ala Ala Val Ser Gly (SID #2)
 | | | | | | | | | | | | | | | |
 Ala Ala Gly Leu Leu Tyr Leu His Thr Trp Ala Ala Ala Val Ser Gly (Email)

Cys Val Phe Ala Ile Phe Thr Ala Ser Met Trp Pro Gln Thr Leu Gly (SID #2)
 | | | | | | | | | | | | | | | |
 Cys Val Phe Ala Ile Phe Thr Ala Ser Met Trp Pro Gln Thr Leu Gly (Email)

His Leu Ile Asn Ser Gly Thr Asn Pro Gly Lys Thr Met Thr Ile Ala (SID #2)
 | | | | | | | | | | | | | | | |
 His Leu Ile Asn Ser Gly Thr Asn Pro Gly Lys Thr Met Thr Ile Ala (Email)

Met Ile Phe Tyr Leu Leu Glu Ile Phe Phe Cys Ala Trp Cys Thr Ala (SID #2)
 | | | | | | | | | | | | | | | |
 Met Ile Phe Tyr Leu Leu Glu Ile Phe Phe Cys Ala Trp Cys Thr Ala (Email)

Phe Lys Phe Val Pro Gly Gly Val Tyr Ala Arg Glu Arg Ser Asp Val (SID #2)
 | | | | | | | | | | | | | | | |
 Phe Lys Phe Val Pro Gly Gly Val Tyr Ala Arg Glu Arg Ser Asp Val (Email)

Exhibit C**A Comparison of SEQ ID NO.:2 and the Nucleotide Sequence of the Email**

Leu Leu Gly Thr Met Met Leu Ile Ile Gly Leu Asn Met Leu Phe Gly (SID #2)
 | | | | | | | | | | | | | | |
 Leu Leu Gly Thr Met Met Leu Ile Ile Gly Leu Asn Met Leu Phe Gly (Email)

Pro Lys Lys Asn Leu Asp Leu Leu Leu Gln Thr Lys Asn Ser Ser (SID #2)
 | | | | | | | | | | | | | | |
 Pro Lys Lys Asn Leu Asp Leu Leu Leu Gln Thr Lys Asn Ser Ser (Email)

Lys Val Leu Phe Arg Lys Ser Glu Lys Tyr Met Lys Leu Phe Leu Trp (SID #2)
 | | | | | | | | | | | | | | |
 Lys Val Leu Phe Arg Lys Ser Glu Lys Tyr Met Lys Leu Phe Leu Trp (Email)

Leu Leu Val Gly Val Gly Leu Leu Gly Leu Gly Leu Arg His Lys Ala (SID #2)
 | | | | | | | | | | | | | | |
 Leu Leu Val Gly Val Gly Leu Leu Gly Leu Gly Leu Arg His Lys Ala (Email)

Tyr Glu Arg Lys Leu Gly Lys Val Ala Pro Thr Lys Glu Val Ser Ala Ala (SID #2)
 | | | | | | | | | | | | | | |
 Tyr Glu Arg Lys Leu Gly Lys Val Ala Pro Thr Lys Glu Val Ser Ala Ala (Email)

Ile Trp Pro Phe Arg Phe Gly Tyr Asp Asn Glu Gly Trp Ser Ser (SID #2)
 | | | | | | | | | | | | | | |
 Ile Trp Pro Phe Arg Phe Gly Tyr Asp Asn Glu Gly Trp Ser Ser (Email)

Leu Glu Arg Ser Ala His Leu Leu Asn Glu Thr Gly Ala Asp Phe Ile (SID #2)
 | | | | | | | | | | | | | | |
 Leu Glu Arg Ser Ala His Leu Leu Asn Glu Thr Gly Ala Asp Phe Ile (Email)

Thr Ile Leu Glu Ser Asp Ala Ser Lys Pro Tyr Met Gly Asn Asn Asp (SID #2)
 | | | | | | | | | | | | | | |
 Thr Ile Leu Glu Ser Asp Ala Ser Lys Pro Tyr Met Gly Asn Asn Asp (Email)

Leu Thr Met Trp Leu Gly Glu Lys Leu Gly Phe Tyr Thr Asp Phe Gly (SID #2)
 | | | | | | | | | | | | | | |
 Leu Thr Met Trp Leu Gly Glu Lys Leu Gly Phe Tyr Thr Asp Phe Gly (Email)

Pro Ser Thr Arg Tyr His Thr Trp Gly Ile Met Ala Leu Ser Arg Tyr (SID #2)
 | | | | | | | | | | | | | | |
 Pro Ser Thr Arg Tyr His Thr Trp Gly Ile Met Ala Leu Ser Arg Tyr (Email)

Pro Ile Val Lys Ser Glu His His Leu Leu Pro Ser Pro Glu Gly Glu (SID #2)
 | | | | | | | | | | | | | | |
 Pro Ile Val Lys Ser Glu His His Leu Leu Pro Ser Pro Glu Gly Glu (Email)

Exhibit C**A Comparison of SEQ ID NO.:2 and the Nucleotide Sequence of the Email**

Ile	Ala	Pro	Ala	Ile	Thr	Leu	Thr	Val	Asn	Ile	Ser	Gly	Lys	Leu	Val	(SID #2)
Ile	Ala	Pro	Ala	Ile	Thr	Leu	Thr	Val	Asn	Ile	Ser	Gly	Lys	Leu	Val	(Email)

Asp	Phe	Val	Val	Thr	His	Phe	Gly	Asn	His	Glu	Asp	Asp	Leu	Asp	Arg	(SID #2)
Asp	Phe	Val	Val	Thr	His	Phe	Gly	Asn	His	Glu	Asp	Asp	Leu	Asp	Arg	(Email)

Lys	Leu	Gln	Ala	Ile	Ala	Val	Ser	Lys	Leu	Leu	Lys	Ser	Ser	Ser	Asn	(SID #2)
Lys	Leu	Gln	Ala	Ile	Ala	Val	Ser	Lys	Leu	Leu	Lys	Ser	Ser	Ser	Asn	(Email)

Gln	Val	Ile	Phe	Leu	Gly	Tyr	Ile	Thr	Ser	Ala	Pro	Gly	Ser	Arg	Asp	(SID #2)
Gln	Val	Ile	Phe	Leu	Gly	Tyr	Ile	Thr	Ser	Ala	Pro	Gly	Ser	Arg	Asp	

Tyr	Leu	Gln	Leu	Thr	Glu	His	Gly	Asn	Val	Lys	Asp	Ile	Asp	Ser	Thr	(SID #2)
Tyr	Leu	Gln	Leu	Thr	Glu	His	Gly	Asn	Val	Lys	Asp	Ile	Asp	Ser	Thr	(Email)

Asp	His	Asp	Arg	Trp	Cys	Glu	Tyr	Ile	Met	Tyr	Arg	Gly	Leu	Ile	Arg	(SID #2)
Asp	His	Asp	Arg	Trp	Cys	Glu	Tyr	Ile	Met	Tyr	Arg	Gly	Leu	Ile	Arg	(Email)

Leu	Gly	Tyr	Ala	Arg	Ile	Ser	His	Ala	Glu	Leu	Ser	Asp	Ser	Glu	Ile	(SID #2)
Leu	Gly	Tyr	Ala	Arg	Ile	Ser	His	Ala	Glu	Leu	Ser	Asp	Ser	Glu	Ile	(Email)

Gln	Met	Ala	Lys	Phe	Arg	Ile	Pro	Asp	Asp	Pro	Thr	Asn	Tyr	Arg	Asp	(SID #2)
Gln	Met	Ala	Lys	Phe	Arg	Ile	Pro	Asp	Asp	Pro	Thr	Asn	Tyr	Arg	Asp	(Email)

Asn	Gln	Lys	Val	Val	Ile	Asp	His	Arg	Glu	Val	Ser	Glu	Lys	Ile	His	(SID #2)
Asn	Gln	Lys	Val	Val	Ile	Asp	His	Arg	Glu	Val	Ser	Glu	Lys	Ile	His	(SID #2)

Phe	Asn	Pro	Arg	Phe	Gly	Ser	Tyr	Lys	Glu	Gly	His	Asn	Tyr	Glu	Asn	(SID #2)
Phe	Asn	Pro	Arg	Phe	Gly	Ser	Tyr	Lys	Glu	Gly	His	Asn	Tyr	Glu	Asn	(Email)

Asn	His	His	Phe	His	Met	Asn	Thr	Pro	Lys	Tyr	Phe	Leu	(SID #2)
Asn	His	His	Phe	His	Met	Asn	Thr	Pro	Lys	Tyr	Phe	Leu	(Email)

Waybill #: 15170591752

Origin: **SBP**
Date Printed: 3/3/2006

Webship API 02.00 (01/2004)

To: Steve Chappell Mitchell 601 Linden Place, #311 Evanston, IL 60202 UNITED STATES Attention To: Steve Chappell Mitchell Phone #: (310) 820-8029	Service: E
	Special Service:
	Route: SKOF 3B



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From:
AGENSYS
1545 17TH STREET
SANTA MONICA, CA 90404
UNITED STATES

Sent By: Shane Popp
Phone #: 310-820-8029

Description:
Weight (lbs.): Letter **Dims: 0 X 0 X 0**
Pieces: 1 of 1
Bill Shipment To: Sender
Ship Ref: 6600- Gen Intellect Prop.

Please fold or cut in half

DO NOT PHOTOCOPY

Using a photocopy could delay the delivery of your package and will result in additional shipping charge

Create New ShipmentView Pending Shipments**SENDER'S RECEIPT****Airbill#:** 15170591752**To(Company):**
Steve Chappell Mitchell
601 Linden Place, #311
Evanston, IL 60202
United States
Attention To: Steve Chappell Mitchell**Phone#:** (310) 820-8029**Sent By:** Shane Popp**Phone#:** 310-820-8029

Rate Estimate: 13.47
Protection: None Required **Amount:** \$0
Description:
Weight: Letter
Dimensions: 0 X 0 X 0
Ship Ref: 6600- Gen Intellect Prop.
Service Level: Express
(Next business day by 12 PM)
Special Service:
COD Amount: \$0.00
Payment Options:
Date Printed: 2006-03-03
Bill Shipment To: Sender
Bill To Account: 782042209
Ship Date: 2006-03-03

DHL Signature (optional) _____ Route _____ Date _____ Time _____



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- ▶ Track by reference
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Tracking Delivery Signature details... Tracking
Number 15170591752

▶ Help

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And as a regist
have access to
tools to help yo
packages easil
▶ Register Now

Tracking summary

Current Status **✓ Shipment Delivered**

Delivered on 3/6/06 11:35 am

Delivered to Residence Door

Signed for by **LD FD -601 LINDEN PL** Help me with the signed by codes

Signature

FRONT DOOR
LD FD -601 LINDEN PL
LOCALLY DELIVERED

For a description of the code above, please click here.

Receiver Information

Please retry later to obtain receiver information.

Tracking detail provided by DHL: 3/8/2006 9:36:28 AM

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PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/809,638
		Filing Date	March 14, 2001
		First Named Inventor	Mary FARIS
		Art Unit	1643
		Examiner Name	A. Harris
Total Number of Pages in This Submission	96	Attorney Docket Number	511582003500

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form – Form PTO/SB/17p (1 page + duplicate for fee processing)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply (6 pages)	<input checked="" type="checkbox"/> Petition – 1.183 Petition for inventor FARIS (52 pages) and 1.183 Petition for inventor MITCHELL (33 pages)	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
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